

EXHIBIT A

U.S. DEPARTMENT OF HOMELAND SECURITY
 RECORD OF SWORN STATEMENT IN AFFIDAVIT FORM

AFFIDAVIT

Event No: OSN1902000007

IN RE: RALLI-FALCONI, MIRKOFILE NO. 079 057 656EXECUTED AT Oswego, NEW YORKDATE February 26, 2019Before the following immigration officer of the U.S. Department of Homeland Security: PAUL VANDISH JRin the SPANISH language. Interpreter NONE used.MIRKO RALLI-FALCONI

I, MIRKO RALLI-FALCONI acknowledge that the above-named officer has identified himself to me as an officer of the United States Department of Homeland Security, authorized by law to administer oaths and take testimony in connection with the enforcement of the Immigration and Nationality laws of the United States. He has informed me that he desires to take my sworn statement regarding:

MY ILLEGAL RE-ENTRY INTO THE UNITED STATES.

He has told me that my statement must be freely and voluntarily given and has advised me of these rights:

"You have the right to remain silent.

Anything you say can be used against you in court, or in any immigration or administrative proceeding.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer."

I am willing to make a statement without anyone else being present. I swear that I will tell the truth, the whole truth, and nothing but the truth, so help me, God.

Being duly sworn, I make the following statement:

Q. Do you wish to have a lawyer or any other person present to advise you?

A. Yes.


Q. Are you willing to answer my questions at this time?

A. No.

I have read (or have had read to me) the foregoing statement consisting of 1 page. I affirm that the answers attributed to me herein are true and correct to the best of my knowledge and belief and that this statement is a full, true, and correct record of my questioning by the above-named officer of the Immigration and Naturalization Service. I have initialized each page of this statement (and the corrections noted on page(s) Not Applicable).

Signature of alien: 

Subscribed and sworn to me at: Oswego Border Patrol Station in Oswego, N.Y. on 02/26/2019.


 (Signature of Immigration Officer)


 (Signature of Witness)

U.S. Department of Homeland Security

WARNING AS TO RIGHTS - INTERVIEW LOG

AVISO DE DERECHOSFile No: A079-057-656

Antes de que le hagamos cualquier pregunta, usted debe de comprender sus derechos:

Usted tiene el derecho de guardar silencio.

Cualquier cosa que usted diga puede ser usada en su contra en un juzgado de leyes, o en cualquier procedimiento administrativo o de inmigración.

Usted tiene el derecho de hablar con un abogado para que el lo aconseje antes de que le hagamos alguna pregunta, y de tenerlo presente con usted durante las preguntas.

Si usted no tiene el dinero para emplear a un abogado, se le puede proporcionar uno antes de que le hagamos alguna pregunta, si usted lo desea.

Si usted decide contestar nuestras preguntas ahora, sin tener a un abogado presente, siempre tendrá usted el derecho de dejar de contestar cuando guste. Usted también tiene el derecho de dejar de contestar cuando guste, hasta que pueda hablar con un abogado.

He leído (o me han leído) esta declaración sobre mis derechos, y comprendo cuales son

nic 02-26-2019 OSwego, NY 13126
 (Firma) (Fecha y hora) (Lugar)
F37 It
 (Firma del representante de inmigración) (Firma del testigo)

RENUNCIA

Estoy dispuesto a prestar declaraciones y a contestar preguntas. Por el momento no deseo tener un abogado. Comprendo y estoy consciente de lo que esto haciendo. No he sido objeto de promesas, amenazas, presión o coerción de ninguna clase.

(Firma) (Fecha y hora) (Lugar)

CERTIFICATION

I HEREBY CERTIFY that the foregoing Warning, and Waiver, were read by me to the above signatory, that he also read it and has affixed his signature hereto in my presence.

Border Patrol Agent Andrew Blackburn
 Immigration Officer Signature
 Border Patrol Agent Paul Vandish
 Witness Signature
 BPA Andrew Blackburn
 Interpreter's Signature
 Interpreter's Signature Language

INTERVIEW LOG

1. Person Interviewed Mirko RALLI-FALCONI
2. Officer(s) BPA Andrew Blackburn
3. Place (exact address and identity of room) 19 East Schuyler Street
4. Date 2/26/2019
5. Exact Time/Place of encounter or arrest Syracuse Regional Transportation Center
6. If transported from place of encounter to interrogation point, show exact time involved ENCOUNTER @ 1240
 Note whether interrogation continued during transporting INTERROGATION DID NOT CONTINUE
7. Officer making arrest and/or transporting subject BPA JARED BELL
8. Time interview began 1530
9. Time subject or suspect advised of right to remain silent and fact any statement could be used against him in court and name of officer furnishing advice 1525
10. Time subject advised of right to presence of counsel, retained or appointed and name of officer furnishing advice 1525
11. Time questioning concluded
12. Time written statement commenced 1600
13. Person preparing statement BPA ANDREW BLACKBURN
14. Time statement completed 1615
15. Time statement reviewed by person interviewed 1630
16. Time statement signed
17. Record of requests and complaints of subject and actions taken thereon NONE

(If additional space required, continue on an attachment.)

U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name RALLI-FALCONI, MIRKO	File Number A079 057 656 Event No:OSN1902000007	Date 02/26/2019
--------------------------------------	---	--------------------

SPOUSE NAME AND ADDRESS:

Nationality:PERU MESONES, JULIA MARIA
PERU

FATHER NAME AND ADDRESS:

Nationality:PERU RALLI, AQUILES
NONE
LIMA, LIMA, PERU

MOTHER NAME AND ADDRESS:

FALCONI DE RALLI, EMMA
NONE
LIMA, LIMA, PERU

FUNDS IN POSSESSION:

United States Dollar .00

RECORDS CHECKED:


ATS-P Positive
CIS Positive
CLAIM Negative
EARM Positive
IAFIS Positive
NCIC Positive
SEVIS Negative
TECS Positive

NARRATIVE:

ENCOUNTER:

On February 26, 2019, Border Patrol Agents (BPA) Jared Bell and Roger Audet, of the Oswego Border Patrol Station, Oswego, New York, were assigned to the Regional Transportation Center (RTC) located in Syracuse, New York during the 06:00am to 04:00pm shift.

At about 12:40pm, BPA Bell, while wearing a full Border Patrol rough duty uniform encountered 2 subjects whom were later identified as, RALLI-Falconi, Mirko (DOB: [REDACTED] COC: Peru) and MESONES-Zapata, Maria Julia (DOB: [REDACTED]; COC: Peru). BPA Bell approached the line for the 12:45pm bus from Syracuse to New York. BPA Bell engaged RALLI

Signature  PAUL VANDISH JR	Title BORDER PATROL AGENT
---	------------------------------

2 of 5 Pages

U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name RALLI-FALCONI, MIRKO	File Number A079 057 656 Event No:OSN1902000007	Date 02/26/2019
--------------------------------------	---	--------------------

and MESONES in a consensual encounter, and asked them as to their citizenship. Both RALLI and MESONES claimed that they were not United States Citizens, and that they were from Peru. Through questioning, BPA Bell determined that RALLI and MESONES were not in possession of any United States immigration documents that would allow them to enter, pass through or reside in the United States legally. Record checks showed that RALLI had been previously been ordered removed from the United States.

APPREHENSION:

At approximately 01:00pm, RALLI and MESONES were arrested for violation of Section 212A6ai of the Immigration and Nationality Act. RALLI and MESONES were transported by BPA Bell to the United States Border Patrol Station located in Oswego, NY for further processing.

VIOLATION:

Section 212(a) (9) (A) (ii) of the Immigration and Nationality Act, as amended, as an alien who has been ordered removed under section 240 or any other provision of law, or who departed the United States while an order of removal was outstanding, and who seeks admission within ten years of the date of such departure or removal (or within 20 years of such date in the case of a second or subsequent removal or at any time in the case of an alien convicted of an aggravated felony).

ENTRY:

At the Oswego Station, RALLI initial stated to BPA Burrell that he had entered the US legally via La Guardia International Airport in NYC and was petitioned by his wife for entry. Record checks did not reveal any information that confirmed RALLI's statement. During further questioning of RALLI's story, he admitted to BPA Burrell that he illegally entered the US in 2004 by walking cross the US / Mexican Border somewhere in Arizona. At this time, due to RALLI's previous removal from the United States, he was read the Miranda Warnings as per service form I-214 by BPA Burrell at 3:07pm. At that time RALLI invoked his right to remain silent and all questioning concerning his illegal entry into the United States ceased immediately. A copy of the I-214 has been added to the file.

RALLI was then processed as Reinstatement of Prior Order of Removal, and the US Attorney's North District of NY, in Syracuse NY, was notified that we would be charging the subject under 8 USC 1326 Re-Entry after Removal Order.

IMMIGRATION HISTORY:

A#079-057-656 had previously been assigned to RALLI when RALLI was arrested on February 22, 2001 at the Atlanta Hartsfield Jackson International Airport and charged as an Immigrant Without a Visa and charged with 8 USC 1182(A) (7) (A) (I) (I). RALLI was subsequently removed from the United States on the same date.

The National Records Center was contacted and we requested they provided copies of the removal documents for RALLI's initial removal. The NRC advised that the records are archived in Cold Storage and it may take several days to obtain the original file. As of

Signature PAUL VANDISH JR	Title BORDER PATROL AGENT
----------------------------------	----------------------------------

U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name RALLI-FALCONI, MIRKO	File Number A079 057 656 Event No:OSN1902000007	Date 02/26/2019
--------------------------------------	---	--------------------

this report we have not received those documents.

CRIMINAL HISTORY:

FBI#475958RB4 had previously been assigned to him for his previous immigration arrest on February 22, 2001.

TRAVEL DATA/INTEL:

RALLI claims that he has been living in Clifton, New Jersey with his wife and three children.

RALLI was waiting to board a New York City bound bus at the Syracuse RTC.

Employment in the United States:

RALLI claims he is working in a factory manufacturing printers in Clifton, New Jersey. The name of the manufacturing company is Accurate Plastic Printing.

Primary Caregiver for Family Members in the United States:

RALLI stated that he and his wife, Maria MESONES-Zapata, are the primary caregivers to their 13 year old minor child. Their other two children are over the age of 18. His wife, MESONES, was released from custody by Deportation Officer Saunders to care for their child. The minor child was being cared for by the 20 year old child at their home in New Jersey while RALLI and his wife were out of town.

BOND/CUSTODY:

RALLI was processed as a Reinstatement of Prior Order of Removal and will be held without bond as per SBPA Lilly due to his prior Removal from the United States. RALLI has no relief from removal, has no verifiable identification, has no status in the United States, was previously encountered by the government and was removed back to Peru. A copy of the Bond Determination form has been added to the file.

RALLI will be held at the Oswego Border Patrol Station overnight in anticipation of an initial court appearance in Syracuse, New York the next morning.

Health and Consulate Notification:

RALLI claims/appears to be in good health. RALLI has tendonitis in his left middle finger and is wearing a brace to support it. The subject is not currently taking any medications. RALLI was given the telephone number to the Consulate of Peru in New York, New York so that he may call them at his convenience. The Consulate of Peru was notified of RALLI's detention as per service form I-264, a copy of the facsimile transmission has been added to the file.

Signature PAUL VANDISH JR	Title BORDER PATROL AGENT
----------------------------------	----------------------------------

U.S. Department of Homeland Security

Continuation Page for Form

I213

Alien's Name RALLI-FALCONI, MIRKO	File Number A079 057 656 Event No:OSN1902000007	Date 02/26/2019
<p>Property Held:</p> <p>RALLI has no property to be held at the Oswego Station.</p> <p>RALLI was issued the following Service Forms: I-871: Notice of Intent/Decision to Reinstate Prior Order I-286: Notice of Custody Determination I-200: Warrant of Arrest List of free legal service providers</p> <p>Arrested by: BPA Jared Bell</p> <p>Processed by: BPA Paul Vandish, BPA Andrew Blackburn</p> <p>Oswego Border Patrol Station (315)-342-7017</p>		
Signature PAUL VANDISH JR	Title BORDER PATROL AGENT	

5 of 5 Pages